

REMARKS

Reconsideration of the present application as amended is earnestly solicited. The application includes 4 claims, each of which is rejected in view of either Adamchick alone or Adamchick combined with another references. Withdrawal of these rejections is believed to be appropriate in view of antedating the primary reference Adamchick and ensuing arguments.

The Adamchick patent no. 5,761,668 has been cited as a §102(e) reference. Applicant has submitted a Declaration dated June 13, 2000 under 37 C.F.R. § 1.131 antedating this primary reference.

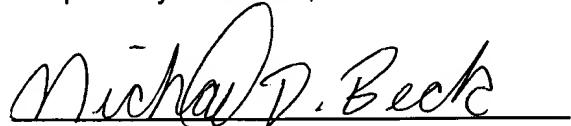
This first Declaration was not considered for failure to demonstrate certain elements of claim 1. It is well-known that the Y2K problem only affects computers having a CPU, memory and data files. Thus, it is believed that the first Declaration does establish conception of the invention of claim.

Nevertheless, Applicant submits the attached Supplemental Declaration which establishes that Applicant conceived the claimed invention as a solution to the Y2K problem associated with computer systems processing date data. As such, the invention has no applicability to anything other than computer programs performing mathematical operations on date data. Thus, the Supplemental Declaration clearly establishes that Applicant was in possession of the claimed invention prior to March 8, 1996, which is prior to the Adamchick filing date.

Since Applicant has sworn behind Adamchick, it is no longer available as a reference in this case. No other art of record discloses subject matter similar to Adamchick. Consequently, claims 1-4 are believed to be immediately allowable.

Reconsideration of the present application in view of the § 1.131 Supplemental Declaration and the foregoing remarks is requested. It is believed that the application, including claims 1-4 are in condition for allowance. Action toward that end is solicited.

Respectfully submitted,



Michael D. Beck, Reg. No. 32,722
Baker & Daniels
300 N. Meridian Street, Suite 2700
Indianapolis, IN 46204
Phone: (317) 237-1168
Fax: (317) 569-4800
mdbeck@bakerd.com